

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of	:	Customer Number: 20277
	:	
Eiji MARUYAMA	:	Confirmation Number: 2908
	:	
Application No.: 10/790,759	:	Tech Center Art Unit: 1795
	:	
Filed: March 03, 2004	:	Examiner: Golam Mowla
	:	
For: PHOTOVOLTAIC DEVICE AND DEVICE HAVING TRANSPARENT CONDUCTIVE FILM		

**TRANSMITTAL OF CORRECTED APPEAL BRIEF IN RESPONSE TO NOTIFICATION OF NON-  
COMPLIANT APPEAL BRIEF (37 CFR 41.37)**

Mail Stop Appeal Brief  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This response is submitted in response to the Notification of Non-Compliant Appeal Brief (37 CFR 41.37) mailed January 4, 2010, indicating that "Summary of Claimed Subject Matter" incorrectly argue canceled claim 1 instead of claim 8, and in support of the Appeal Brief filed December 16, 2009. The amended Appeal brief clearly argues pending claim 8 in "Summary of Claimed Subject Matter."

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due under 37 C.F.R. §§ 1.17 and 41.20, and in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,  
McDERMOTT WILL & EMERY LLP



Hosang Lee  
Registration No. L00,295

**Please recognize our Customer No. 20277 as  
our correspondence address.**

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**Date: February 3, 2010**